

REMARKS

The present Response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-12, 14, 15, 18, 24-30, 32-33, 36, 38-40, 43, 45-48 and 50 are pending in this application and have been rejected.

Claims 1, 2, 10, 11, 15, 18, 26, 32, 43, 47 and 48 have been amended herein, and claims 30 and 50 have been canceled herein. Applicants assert that no new matter has been added by the claim amendments.

Interview

The undersigned attorney appreciates the courtesies extended by Examiner Rene Towa in a telephonic interview earlier today, wherein the amendments proposed herein were discussed in relation to the cited references. No agreement was reached regarding these claims.

35 U.S.C. § 103 Rejections

In the final Office Action, the Examiner rejected claims 1, 3, 7, 10-12, 14, 24-30, 32, 36, 40, 43, 45-48 and 50 under 35 U.S.C. § 103(a) as being unpatentable over Mullick et al. (U.S. Patent Application Publication No. 2003/0167000) in view of Canton (U.S. Patent No. 6,145,393). Applicants respectfully traverse the rejection.

Mullick et al. teach an in-vivo capsule that may include an imaging array and can be configured to perform multiple diagnostic or therapeutic operations. However, as the Examiner admits, Mullick et al. fail to explicitly teach an optical stabilization platform comprising at least one friction reducing mechanism or liquid, at least one ballast weight or at least one directional activator.

Canton teaches a floated gimbal optical platform for providing a stable optical path for optical instruments. Further, the device of Canton is meant to stabilize optical instruments in turbulent and dynamic environments which serves to maintain the optical device at a fixed attitude and correcting the attitude internally as necessary. (See Canton, at col. 1, lines 12-13; col. 2, line 64 - col. 3, line 6).

Applicants have herein amended independent claims 1, 32 and 43 to recite that the at least one directional actuator is configured to control the at least one directional activator so as to change orientation of the imaging device [image sensor] to any direction with respect to said housing/outer covering. These amendments find support in the specification as filed, for example at page 2, lines 24-25, and page 6, lines 27-31.

Applicants point out that the device of Canton has a single viewing port 19 in the outer housing through which an image is taken, such the inner sphere's viewing port 23 needs to be adjusted such that it is oriented in the same direction as the direction of the housing's viewing port 19 when an image is to be taken. As such, the field of view of the device of Canton always stays the same.

By contrast, Applicants' device is intended to adjust the attitude and direction of the imaging device in response to a signal from outside the in-vivo environment in order to *change the field of view* of the imaging device. Because almost the entire housing of Applicants' device is transparent, an image can be taken from almost any direction. As such, the field of view can be changed in order to acquire images from all different sides of the device.

Thus, Applicants assert that Mullick et al. and Canton, alone or in combination, do not teach or suggest a system wherein that the at least one directional actuator is configured to control the at least one directional activator so as to change orientation of the imaging device [image sensor] to any direction with respect to said housing/outer covering, as recited in amended independent claims 1, 32 and 43. Amended independent claims 1, 32 and 43 are therefore allowable. Dependent claims 3, 7, 10-12, 14, 24-30, 36, 40, 45-48 and 50 include all the limitations of one of amended independent claims 1, 32 and 43, and are therefore likewise allowable. Applicants therefore request that the Examiner withdraw the rejection.

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In the Office Action, the Examiner rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Mullick et al. in view of Canton and further in view of Von Alten (U.S. Patent No. 6,929,636). Applicants respectfully traverse the rejection.

Applicants assert that Von Alten does not solve the deficiencies of Mullick et al. and Canton as discussed above. Applicants further assert that Mullick et al., Canton and Von Alten, alone or in combination, do not teach or suggest the system as recited in amended independent claim 1, such that amended independent claim 1 is allowable. Dependent claim 2 includes all the limitations of amended independent claim 1 and is therefore likewise allowable. Applicants therefore request that the Examiner withdraw the rejection.

In the Office Action, the Examiner rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Mullick et al. in view of Canton and further in view of Bucalo (U.S. Patent No. 4,172,446). Applicants respectfully traverse the rejection.

Applicants assert that Bucalo does not solve the deficiencies of Mullick et al. and Canton as discussed above. Applicants further assert that Mullick et al., Canton and Bucalo, alone or in combination, do not teach or suggest the system as recited in amended independent claim 1, such that amended independent claim 1 is allowable. Dependent claim 4 includes all the limitations of amended independent claim 1 and is therefore likewise allowable. Applicants therefore request that the Examiner withdraw the rejection.

In the Office Action, the Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Mullick et al. in view of Canton and Bucalo and further in view of Kovacs et al. (U.S. Patent Number 5,833,603). Applicants respectfully traverse the rejection.

Applicants assert that Kovacs et al. et al. do not solve the deficiencies of Mullick et al., Canton and Bucalo as discussed above. Applicants further assert that Mullick et al., Canton, Bucalo and Kovacs et al., alone or in combination, do not teach or suggest the system as recited in amended independent claim 1, such that amended independent claim 1 is allowable. Dependent claim 5 includes all the limitations of amended independent claim 1

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and is therefore likewise allowable. Applicants therefore request that the Examiner withdraw the rejection.

In the Office Action, the Examiner rejections claims 6, 8-9, 18, 33 and 38-39 under 35 U.S.C. § 103(a) as being unpatentable over Mullick et al. in view of Canton and further in view of Kilcoyne et al. (U.S. Patent No. 6,285,897). Applicants respectfully traverse this rejection.

Applicants assert that Kilcoyne et al. do not solve the deficiencies of Mullick et al. and Canton as discussed above. Applicants further assert that Mullick et al., Canton and Kilcoyne et al., alone or in combination, do not teach or suggest the system as recited in amended independent claims 1 and 32, such that amended independent claims 1 and 32 are allowable. Dependent claims 6, 8-9, 18, 33 and 38-39 include all the limitations of amended independent claims 1 or 32 and are therefore likewise allowable. Applicants therefore request that the Examiner withdraw the rejection.

In the Office Action, the Examiner rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Mullick et al. in view of Canton and further in view of DiCarlo (U.S. Patent Application Publ. No. 2003/0004562). Applicants respectfully traverse the rejection.

Applicants assert that DiCarlo does not solve the deficiencies of Mullick et al. and Canton as discussed above. Applicants further assert that Mullick et al., Canton and DiCarlo, alone or in combination, do not teach or suggest the system as recited in amended independent claim 1, such that amended independent claim 1 is allowable. Dependent claim 15 includes all the limitations of amended independent claim 1 and is therefore likewise allowable. Applicants therefore request that the Examiner withdraw the rejection.

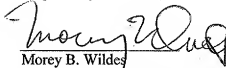
In view of the foregoing amendments and remarks, Applicants assert that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

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Should the Examiner have any question or comment as to the form, content or entry of this Amendment, or if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to contact the undersigned at the telephone number below.

Please charge any fees that are due to deposit account No. 50-3355.

Respectfully submitted,



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Dated: January 21, 2009

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